Supreme Court, U. S.
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MICHAEL RODAK, JR., CLERK

IN THE

Supreme Court of the United States

OCTOBER TERM, 1977

No. 77-10

EXXON CORPORATION AND PHILLIPS PETROLEUM COMPANY,
Appellants,

v.

GOVERNOR OF THE STATE OF MARYLAND ET AL.,
Appellees.

ON APPEAL FROM THE COURT OF APPEALS OF MARYLAND

OBJECTION TO MOTION FOR LEAVE TO FILE BRIEF AMICUS CURIAE BY PACIFIC LEGAL FOUNDATION

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Respondents, Marvin Mandel, Governor of the State of Maryland, Francis B. Burch, Attorney General of Maryland and Louis L. Goldstein, Comptroller of the Treasury, by their attorneys, Francis B. Burch, Attorney General, Jon F. Oster, Deputy Attorney General and John A. Woodstock, Assistant Attorney General hereby file objection to the motion by Pacific Legal Foundation, for leave to file a brief *amicus curiae* in support of Appellant's jurisdictional statement. Respondents' objection is based on the following grounds:

1. The interest of Pacific Legal Foundation (hereinafter referred to as "petitioner"), as disclosed in its

motion, is no more than a remote interest in the issues involved in this case.

2. The principal issues which petitioner seeks to discuss in its brief *amicus curiae* are already presented to this Court by six (6) appellants who have docketed appeals and Jurisdictional Statements.[1] Thus, to the extent that petitioner's interest may be pertinent to the particular issues in which it is interested, its argument, at best, is duplicative and redundant to the treatment and representation of these issues by the appellants. For respondents to be put in the position of having to respond to this petitioner's arguments on these issues would unnecessarily cause further pleadings to be enlarged and would be likely to distract both counsel and the Court from the other issues involved.

3. It is submitted that petitioner's motion does not demonstrate any factual or legal issues that have not and will not be comprehensively represented by the appellants in this proceeding, all of which have, and are represented by, an abundance of counsel who have consistently demonstrated exceptional expertise in their treatment of the issues involved in this case. Under all the circumstances, petitioner has failed to demonstrate that its participation would in any manner be necessary to, or enhance, the eventual disposition of this case.

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[1] In addition to the appeal and Jurisdictional Statement by Exxon Corporation and Phillips Petroleum Company, No. 77-10 (7/1/77), *see: Shell Oil Company v. Governor of the State of Maryland, et al., appeal docketed,* No. 77-11 (Sup. Ct. July 1, 1977); *Continental Oil Company, et al. v. Governor of Maryland, et al., appeal docketed,* No. 77-12 (Sup. Ct. July 1, 1977); *Gulf Oil Corporation v. Governor of Maryland, et al., appeal docketed,* No. 77-47 (Sup. Ct. July 8, 1977); *Ashland Oil, Inc., Commonwealth Oil Refining Company, Inc. and Petroleum Marketing Corporation v. Governor of Maryland, et al., appeal docketed,* No. 77-64 (Sup. Ct. July 11, 1977).

For each and all the foregoing reasons, Pacific Legal Foundation's motion should be denied.

Respectfully submitted,

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